## Case 05-10652-JHW

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Document Page 1 of 24 United States Bankruptcy Court

**District of New Jersey** 

IN	N RE:					Case No		
<u>A</u>	ponte, Nelson					Chapter 13		
		btor(s)						
	DISCLOSURE (	OF CO	M	PENSATION OF	ATTORNEY	Y FOR DEBT	OR	
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Ru one year before the filing of the petition in bankrupt of or in connection with the bankruptcy case is as for	otcy, or agr						
	For legal services, I have agreed to accept						\$	1,000.00
	Prior to the filing of this statement I have received						\$	
	Balance Due						\$	1,000.00
2.	The source of the compensation paid to me was:	Debtor	r	Other (specify):				
3.	The source of compensation to be paid to me is:	Debtor	r	Other (specify):				
4.	✓ I have not agreed to share the above-disclosed	compensa	atic	on with any other person un	less they are memb	pers and associates of	f my law firm.	
	I have agreed to share the above-disclosed cortogether with a list of the names of the people					or associates of my	law firm. A copy of	of the agreement,
5.	In return for the above-disclosed fee, I have agreed	to render l	leg	al service for all aspects of	the bankruptcy cas	e, including:		
6.	a. Analysis of the debtor's financial situation, and b. Preparation and filing of any petition, schedule c. Representation of the debtor at the meeting of d. Representation of the debtor in adversary proce. [Other provisions as needed]  By agreement with the debtor(s), the above disclose	es, stateme creditors a cedings ar	and-	of affairs and plan which r I confirmation hearing, and other contested bankruptey	may be required; lany adjourned hea matters;	•	kruptcy;	
	I certify that the foregoing is a complete statement of a	any agreen	mei	CERTIFICATION nt or arrangement for paym	ent to me for repres	sentation of the debte	or(s) in this bankru	ptcy
	proceeding.				κ			
-	January 7, 2005  Date	<u>/</u>	/s/	Edward M. Thompse		e of Attorney		
		c	Са	llaghan Thompson &	& Thompson. F	P.A.		

Name of Law Firm

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Neither the judge nor the court's employees may provide you with legal advice.

### Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)\*

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
- 2. Under Chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
- 3. The purpose of filing a Chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
- 5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. Your attorney can explain the options that are available to you.

## Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)\*

- 1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually the period allowed by the court to repay your debts is three years, but not more than five years. Your plan must be approved by the court before it can take effect.
- 3. Under Chapter 13, unlike Chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
- 4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

### Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)\*

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision for an individual to file a Chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)\*

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a Chapter 13. The eligibility requirements are restrictive, limiting its use to those who income arises primarily from a family owned farm.

\* Fees are subject to change and should be confirmed before filing.

### **ACKNOWLEDGEMENT**

I, the debtor, affirm t	that I have read this notice.		
			Case Number
January 7, 2005	/s/ Nelson Aponte		
Date	Nelson Aponte	Debtor	Joint Debtor, if an

**INSTRUCTIONS**: If the debtor is an individual, a copy of this notice personally signed by the debtor must accompany any bankruptcy petition filed with the Clerk. If filed by joint debtors, the notice must be personally signed by each. Failure to comply may result in the petition not being accepted for filing.

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FORM B1 United States Bankruptcy C	
District of New Jersey	
Name of Debtor (if individual, enter Last, First, Middle): <b>Aponte, Nelson</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): 4667	Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code): 301 Newtowne Square B3-1 Pleasantville, NJ 08232	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
County of Residence or of the Principal Place of Business: Atlantic	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above):	
<ul> <li>Information Regarding the Deb</li> <li>Venue (Check any applicable box)</li> <li>✓ Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 da</li> <li>☐ There is a bankruptcy case concerning debtor's affiliate, general par</li> </ul>	ays than in any other District.
Type of Debtor (Check all boxes that apply)  Individual(s) Railroad Corporation Stockbroker Partnership Commodity Broker Other Clearing Bank	Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)  Chapter 7
Nature of Debts (Check one box)  ✓ Consumer/Non-Business ☐ Business  Chapter 11 Small Business (Check all boxes that apply)  ☐ Debtor is a small business as defined in 11 U.S.C. § 101  ☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)	Filing Fee (Check one box)  Full Filing Fee attached Filing Fee to be paid in installments (applicable to individuals only Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments Rule 1006(b). See Official Form No. 3.
Statistical/Administrative Information (Estimates only)  Debtor estimates that funds will be available for distribution to unsee  Debtor estimates that, after any exempt property is excluded and admipaid, there will be no funds available for distribution to unsecured or	ministrative expenses
Estimated Number of Creditors 1-15 16-49 50-99 100-	199 200-999 1000-over
Estimated Assets	
\$0 to \$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001 \$10,000,001 to \$10,000 \$10	
Estimated Debts	
\$0 to \$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001 \$50,000 \$100,000 \$500,000 \$1 million \$10 million \$50 million	

 $\checkmark$ 

Date

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of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

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### Document Page 5 of 24 United States Bankruptcy Court District of New Jersey

IN RE:		Case No.
Aponte, Nelson		Chapter 13
	Debtor(s)	*

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

### AMOUNTS SCHEDULED

			AN	MOUNTS SCHEDULEI	)
NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	2	17,862.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		14,550.00	
E - Creditors Holding Unsecured Priority Claims	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		7,125.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			1,668.04
J - Current Expenditures of Individual Debtor(s)	Yes	1			1,394.00
Total Number of Sheet	s in Schedules	12			
		Total Assets	17,862.00		
			Total Liabilities	21,675.00	

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Aponte, Nelson			Case No.	

Debtor(s)

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor holds no interest in real property, write "None" under "Description and Location of Property".

Do not include interests in executory contracts and unexpired leases on the schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a security interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim".

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

	INTEREST IN PROPERTY	W J C	INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
None				
	тот		0.00	

(Report also on Summary of Schedules)

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IN RE Aponte, Nelson

Debtor(s)

### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None". If additional space is needed in any category, attached a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions only in Schedule C - Property Claimed as Exempt.

Do not include interests in executory contracts and unexpired leases on the schedule. List them in Schedule G - Executory Contracts and Unexpired Leased. If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property".

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1.	Cash on hand.		cash		20.00
2.	Checking, savings or other financial		checking account South Jersey Federal Credit Union		600.00
	accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		savings account South Jersey Federal Credit Union		17.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.		security deposit with landlord		1,600.00
4.	Household goods and furnishings, include audio, video, and computer equipment.		furnishings		1,200.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	Х			
6.	Wearing apparel.		clothing		300.00
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issue.	X			
11.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	Х			
12.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13.	Interests in partnerships or joint ventures. Itemize.	X			
14.	Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
15.	Accounts receivable.	X			
16.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
17.	Other liquidated debts owing debtor including tax refunds. Give particulars.	X			

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Debtor(s)

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
18.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21.	Patents, copyrights, and other intellectual property. Give particulars.	X			
22.	Licenses, franchises, and other general intangibles. Give particulars.	X			
23.	Automobiles, trucks, trailers, and other vehicles and accessories.		2000 Dodge Durango		14,125.00
24.	Boats, motors, and accessories.	X			
25.	Aircraft and accessories.	X			
26.	Office equipment, furnishings, and supplies.	X			
27.	Machinery, fixtures, equipment, and supplies used in business.	X			
28.	Inventory.	X			
29.	Animals.	X			
30.	Crops - growing or harvested. Give particulars.	X			
31.	Farming equipment and implements.	X			
32.	Farm supplies, chemicals, and feed.	X			
33.	Other personal property of any kind not already listed. Itemize.	X			
ι		<u> </u>	ТОТ	AL	17,862.00

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Debtor(s)

### SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

■ 11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). NOTE: These exemptions are available only in certain states.

11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
SCHEDULE B - PERSONAL PROPERTY			
cash	11 USC § 522(d)(5)	20.00	20.00
checking account South Jersey Federal Credit Union	11 USC § 522(d)(5)	600.00	600.00
savings account South Jersey Federal Credit Union	11 USC § 522(d)(5)	17.00	17.00
security deposit with landlord	11 USC § 522(d)(5)	1,600.00	1,600.00
furnishings	11 USC § 522(d)(3)	1,200.00	1,200.00
clothing	11 USC § 522(d)(3)	300.00	300.00
2000 Dodge Durango	11 USC § 522(d)(2)	2,950.00	14,125.00
	11 USC § 522(d)(5)	975.00	·

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Debtor(s)

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Case No.

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C," respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D. AMOUNT OF CLAIM O N T I N G E N T L D WITHOUT DEDUCTING ŏ VALUE OF COLLATERAL Q U I D E B CREDITOR'S NAME, MAILING ADDRESS DATE CLAIM WAS INCURRED. W INCLUDING ZIP CODE, AND ACCOUNT NUMBER. NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF (See instructions above.) PROPERTY SUBJECT TO LIEN T O C D Ē A T UNSECURED PORTION, IF R ANY Е car loan Account No. 9337320 Capital One Auto Finance 14,000.00 P.O. Box 93016 Long Beach, CA 90809 Value \$ 14.125.00 furniture Account No. Rent A Center 550.00 610 Black Horse Pike Pleasantville, NJ 08232 Value \$ 550.00 Account No. Value \$ Account No. Value \$ Account No. Value \$ Subtotal O Continuation Sheets attached (Total of this page) 14,550.00

(Complete only on last sheet of Schedule D) TOTAL 14,550.00 (Report total also on Summary of Schedules)

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Case No.

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entiry on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C," respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim

is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

PES OF PRIORITY CLAIMS neck the appropriate box(es) below if claims in that category are listed on the attached sheets)
Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2)
Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,925* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).
Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
Certain farmers and fishermen Claims of certain farmers and fishermen, up to a maximum of \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).
<b>Deposits by individuals</b> Claims of individuals up to a maximum of \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6)
Alimony, Maintenance, or Support Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).
Taxes and Other Certain Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).
* Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.
O Continuation Sheets attached

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Debtor(s)

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Case No.

State the name, mailing address, including zip code and last four digits of any account number of all entities holding unsecured claims without priority against the debtor or the property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C," respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No. M0333900174MER							
Atlantic City Medical Center C/O Grimley Financial 30 Washington Avenue, Suite C6 Haddonfield, NJ 08033-3341							5,092.00
Account No. <b>8230/120503</b>							
Atlantic Radiologists C/O Rickart Collection Systems P.O. Box 7242 N. Brunswick, NJ 08902							559.00
Account No. 9033390017400750664							
Leeds Emergency P.O. Box 8378 Philadelphia, PA 19101-8378							474.00
Account No. <b>5121-0717-0858-6783</b>							474.00
Sears P.O. Box 182156 Columbus, OH 43218-2156							1,000.00
Account No.							, , , ,
<b>0</b> Continuation Sheets attached		•	(Total c		Subt		7,125.00
			(Complete only on last sheet of Schedule I	F) <b>T</b>	тот	AL	7,125.00

(Report total also on Summary of Schedules)

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Debtor(s)

Case No.

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

✓ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

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### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

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IN RE Aponte, Nelson

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Debtor(s)

\_ Case No. \_

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status		DEPENDENTS O	F DEBTOR AND	SPOU	SE		
Single		RELATIONSHIP				AGE	
EMPLOYMENT:		DEBTOR			SPOUSE		
Occupation	Slot Technici						
Name of Employer	Resorts Casi						
How long employed	Nine Months						
Address of Employer	Atlantic City,	NJ					
Income: (Estimate of	of average mon	thly income)			DEBTOR		SPOUSE
	_	ry, and commissions (pro rata if not paid month	nly)	\$	1,482.00	\$	
Estimated monthly	overtime		-	\$		\$	
SUBTOTAL				\$	1,482.00	\$	
LESS PAYROLI	DEDUCTION	IS					
a. Payroll taxes	and Social Sec	urity		\$	313.88	\$	
b. Insurance				\$		\$	
c. Union dues	r \			\$		\$	
d. Other (specif	(y)			\$		\$	
CIDTOTAL OF I		DICTIONS		φ	313.88	ф <u> </u>	
SUBTOTAL OF F				<u>э</u>			
TOTAL NET MO	NTHLY TAK	Е НОМЕ РАУ		<u>\$</u>	1,168.12	\$	
		business or profession or farm (attach detailed	statement)	\$		\$	
Income from real p				\$		\$	
Interest and divider				\$		\$	
or that of dependent Social Security or of	ts listed above	payments payable to the debtor for the debtor's	use	\$		\$	
		it assistance		Φ.		¢	
(Specify)				\$ ——		\$ ——	
Pension or retireme				\$		\$	
Other monthly inco							
(Specify) Trump P	laza Net Incom	le		\$	499.92	\$	
				\$		\$	
				<b>a</b>		<b>a</b>	
TOTAL MONTH	LY INCOME			\$	1,668.04	\$	

TOTAL COMBINED MONTHLY INCOME \$ \_\_\_\_\_\_ 1,668.04 (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

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Debtor(s)

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

**Continuation Sheet - Page 1 of 1** 

Security Trump Plaza Casino two years Atlantic City, NJ

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IN RE Aponte, Nelson

Debtor(s)

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made or annually to show monthly rate.	e bi-weekly, quarter	ly, semi-annually,
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Con expenditures labeled "Spouse."	nplete a separat	e schedule of
Rent or home mortgage payment (include lot rented for mobile home)	\$	625.00
Are real estate taxes included? Yes No <u>✓</u> _		
Is property insurance included? Yes No _✓_		
Utilities: Electricity and heating fuel	\$	87.00
Water and sewer	\$	
Telephone	\$	80.00
Other Cable		42.00
Home maintenance (repairs and upkeep)		
Food	<b>\$</b>	160.00
Clothing	\$	60.00
Laundry and dry cleaning	\$ —	00.00
Medical and dental expenses	\$ —	
Transportation (not including car payments)	\$ —	125.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	
Charitable contributions	\$	
Insurance (not deducted from wages or included in home mortgage payments)	·	
Homeowner's or renter's	\$	
Life	\$	
Health	\$	
Auto	\$	175.00
Other	\$	
	\$	
	\$	
Taxes (not deducted from wages or included in home mortgage payments)	Φ.	
(Specify)	\$	
Installment payments (in chapter 12 and 13 cases, do not list payments to be included in the plan)	<b>»</b>	
Auto	\$	
Other Health Club	φ	40.00
Office Treatm Oldb	Ψ	40.00
Alimony, maintenance, and support paid to others	\$	
Payments for support of additional dependents not living at your home	\$	
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	
Other	\$	
	\$	
	\$	
	\$	
	\$	
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$	1,394.00
(FOR CHAPTER 12 AND 13 DEBTORS ONLY) Provide the information requested below, including whether plan payments are to be made bi-weekly, more	nthly, annually,	or at some
other regular interval.	Φ.	4 000 04
A. Total projected monthly income	\$	1,668.04
B. Total projected monthly expenses	<b>5</b> —	1,394.00 274.04
<ul><li>C. Excess income (A minus B)</li><li>D. Total amount to be paid into plan each <b>Monthly</b></li></ul>	<b>\$</b> —	274.04 275.00
(interval)	<b>v</b>	213.00
(intervar)		

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\_ Case No. \_\_

Debtor(s)

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury	that I have read the foregoing sum	
they are true and correct to the be	est of my knowledge, information,	(Total shown on summary page plus 1) and belief.
Date: <b>January 7, 2005</b>	Signature: /s/ Nelson Apo	
_	Nelson Aponto	
Date:	Signature:	(Joint Debtor, if any)
		[If joint case, both spouses must sign.]
CERTIFICATION AND SIG	NATURE OF NON-ATTORNEY	BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)
I certify that I am a bankruptcy por I have provided the debtor with a		S.C. § 110, that I prepared this document for compensation, and that
Printed or Typed Name of Bankruptcy Petition Prepare	и	Social Security No. (Required by 11 U.S.C. § 110(c).)
Address		
Names and Social Security numb	ers of all other individuals who pro	epared or assisted in preparing this document:
•	-	signed sheets conforming to the appropriate Official Form for each
Signature of Bankruptcy Petition Preparer		Date
	failure to comply with the provision 11 U.S.C. § 110; 18 U.S.C. § 150	of title $\it 11$ and the Federal Rules of Bankruptcy Procedures may result $\it 6$ .
DECLARATION UN	IDER PENALTY OF PERJURY C	ON BEHALF OF CORPORATION OR PARTNERSHIP
I, the an authorized agent o	f the partnership) of the	esident or other officer or an authorized agent of the corporation or a
(corporation or partnership) nam	ed as debtor in this case, declare u	nder penalty of perjury that I have read the foregoing summary and rue and correct to the best of my knowledge, information, and belief.
Date:	Signature:	
		(Print or type name of individual signing on behalf of debtor)
		, ,,

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

### Case 05-10652-JHW

Doc 1 Filed 01/07/05 Entered 01/07/05 14:51:14 Desc Main Document Page 19 of 24 **United States Bankruptcy Court** 

**District of New Jersey** 

IN RE:		Case No
Aponte, Nelson		Chapter 13
•	Debtor(s)	

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE (if more than one)

25,000.00 2004

23.500.00 2003

### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 3. Payments to creditors

None a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 4. Suits and administrative proceedings, executions, garnishments and attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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None	b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding			
5. Re	possessions, foreclosures and returns			
None	List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within <b>one year</b> immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)			
	DATE OF REPOSSESSION, FORECLOSURE SALE, E AND ADDRESS OF CREDITOR OR SELLER TRANSFER OR RETURN January 5, 2005  DATE OF REPOSSESSION, FORECLOSURE SALE, DESCRIPTION AND VALUE OF PROPERTY Dodge Durango			
6. As	signments and receiverships			
None	a. Describe any assignment of property for the benefit of creditors made within <b>120 days</b> immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)			
None	b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within <b>one year</b> immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)			
7. Gi	fts			
None	. Dist all girls of characters indeed within one year miniculatory proceeding the commencement of any case except ordinary and asatu			
8. Lo	sses			
None	List all losses from fire, theft, other casualty or gambling within <b>one year</b> immediately preceding the commencement of this case <b>or since the commencement of this case</b> . (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or no a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)			
9. Pa	yments related to debt counseling or bankruptcy			
None	List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within <b>one year</b> immediately preceding the commencement of this case.			
10. O	ther transfers			
None	2 List all other property, other than property transferred in the ordinary course of the dustries of the debtor, transferred entire			

### 11. Closed financial accounts

None List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise ✓ transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, association, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 12. Safe deposit boxes

None List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 13. Setoffs

None List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

 $\checkmark$ 

### 15. Prior address of debtor

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

### 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

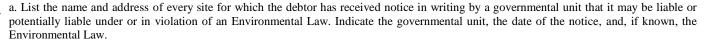
### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.



b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

### 18. Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

 $\checkmark$ 

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: January 7, 2005	Signature /s/ Nelson Aponte	
	of Debtor	Nelson Aponte
Date:	Signature	
	of Joint Debtor	
	(if any)	
	<b>0</b> continuation pages attached	

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.

## Case 05-10652-JHW Doc 1 Filed 01/07/05 Entered 01/07/05 14:51:14 Desc Main Document Page 23 of 24 United States Bankruptcy Court **District of New Jersey**

IN RE:		Case No.	
Aponte, Nelson		Chapter 13	
	Debtor(s)	• -	
	VERIFICATION OF CREDIT	OR MATRIX	
The above named debtor(s) hereby	verify(ies) that the attached matrix lis	ting creditors is true to the best of my(our) knowledge.	
Date: January 7, 2005	Signature: /s/ Nelson Aponte		
	Nelson Aponte	Debtor	
Date:	Signature:		
	-	Joint Debtor, if any	

Atlantic City Medical Center C/O Grimley Financial 30 Washington Avenue, Suite C6 Haddonfield, NJ 08033-3341

Atlantic Radiologists C/O Rickart Collection Systems P.O. Box 7242 N. Brunswick, NJ 08902

Capital One Auto Finance P.O. Box 93016 Long Beach, CA 90809

Leeds Emergency P.O. Box 8378 Philadelphia, PA 19101-8378

OSI Collection Services, Inc. P.O. Box 964
Brookfield, WI 53008

Rent A Center 610 Black Horse Pike Pleasantville, NJ 08232

Sears P.O. Box 182156 Columbus, OH 43218-2156